

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: **McArdle** §
§
§
Serial No.: **10/645,039** § Group Art Unit: **2165**
§
Filed: **August 21, 2003** § Examiner: **Syed, Farhan M.**
§
For: **Method and Apparatus for Enabling** § Attorney Docket No.: **AUS920030607US1**
National Language Support of a
Database Engine §
§

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

35525
PATENT TRADEMARK
OFFICE CUSTOMER

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
FINAL OFFICE ACTION NOT RECEIVED

I hereby petition to withdraw the holding of abandonment in this case, on the basis that the Final Office Action forming the basis of the abandonment was not received. I hereby state: (a) the Final Office Action indicated on the Notice of Abandonment, as mailed on January 8, 2008, was not received; and (b) a search of the file jacket and the docket records in my office indicates that this Final Office Action was not received.

I attach a copy of the docket record where the non-received Final Office Action would have been entered had it been received and docketed. As additional evidence of non-receipt of the Final Office Action, I also attach a statement from the legal assistant, Monica Gamez, who would have docketed the Final Office Action had it been received.

In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn, the Final Office Action as mailed on May 21, 2007, according to the USPTO Patent Application Information Retrieval system, be re-dated and mailed so that our office can respond in a timely manner.

No fees are believed to be necessary. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

/Duke W. Yee/
Duke W. Yee
Reg. No. 34,285
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Attorney for Applicant

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Enabling National Language Support § Attorney Docket No.: **AUS920030607US1**
of a Database Engine §

AFFIDAVIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Monica Gamez, being of sound mind and legal age, and fully aware of the punishable nature of making untrue statements as Affiant herein, do hereby attest to personal knowledge of the following:

I am employed by the law firm of Yee & Associates, P.C. (the "Firm"), as a Legal Assistant, in which capacity I personally receive all client related materials requiring further action and docketing on behalf of the Firm and IBM Corporation (the "Client").

On the mailing date of the Final Office Action in question, May 21, 2007, I was employed full time by the Firm and have no record of receipt of said Final Office Action. The Firm received a telephone call from the Examiner inquiring of the status of the response to the May 21, 2007 Final Office Action. At that time, I immediately contacted the Client to inform them of this situation and to ask if they had received a copy of the Final Office Action instead. They notified me that they had not received the Final Office Action.

When a final office action is received, I enter the final office action on the Firm's master docket and also enter the final office action on the Firm's internal docketing system which produces a Case History Report. Receipt of the final office action is neither indicated on the Case History Report nor on the case file index attached hereto.

Sworn to and attested as follows at Dallas, Texas on Friday, January 18, 2008:

AFFIANT:

Monica Gamez

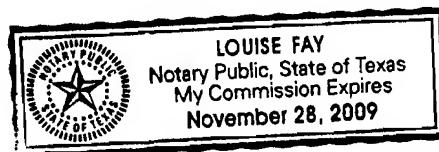
Monica Gamez

On this the 18th day of January, 2008, personally appeared before me Monica Gamez, to me known to be the person named in and who executed the above instrument, and acknowledged that she executed the same for the uses and purposes therein mentioned.

Louise Fay
(Notary Public)

My commission expires: 11/28/09

(seal)



US Patent Case (Record/Case/Details/Case/Details/Case/Details)

Record Other Screens Save Contact Forms Help

Case Management Application Type

Sr Atty: DWY Pri Atty: Admin: KDD EFS Filed

Case No: AU5920030607US1 Client ID: BIBH1 List

App Serial No: 10/645,039 Filing Date: 8/21/2003 Status: Pending

Title: Method and Apparatus for Enabling National Language Support of a Database Engine

Date Iss/Abn: Patent No: Patent Expiration Date:

Client Case: Exp Date Adjusted

Reminder List for this Case

Item	Who	Due Date

There are no Reminder Items for this Case

Priority Case: Priority Date: 3/1/2007 AMC

Accelerated Examination

Office Action Record (Record Locked to allow your update)

Record Save References Reminders Electronic Files Forms Help

Case No: AUS920030607US1 Country: USA

Dates / Response	Notes / FlexFields / Non-Compliant Response
<p>ex Parte Quale <input type="checkbox"/></p> <p>Restriction Req. <input type="checkbox"/></p> <p>Final <input type="checkbox"/></p> <p>Received Conf. <input checked="" type="checkbox"/> Response <input checked="" type="checkbox"/> Faxed/Emailed</p> <p>Date Mailed: 12/15/2006</p> <p>Date Received: 12/18/2006</p> <p>Date Due: 3/15/2007</p> <p>Last Date to File: 6/15/2007</p> <p>Date Sent/Abandoned: 3/15/2007</p> <p>Date Received in Patent Office: 3/15/2007</p>	<p>Examiner _____</p> <p>Name: _____</p> <p>Phone: _____</p> <p>Fax: _____</p> <p>Art Unit / Office: _____</p>

Type of Amendment/Response	Advisory Action
<p><input checked="" type="radio"/> Amendment/Remarks <input type="radio"/> CPA <input type="radio"/> RCE <input type="radio"/> Appeal</p> <p><input type="radio"/> Preliminary Amendment <input type="radio"/> Withdrawn by PTO</p> <p><input type="radio"/> Examiner Amendment</p>	<p><input type="checkbox"/> Expected <input type="checkbox"/> Received</p> <p><input type="checkbox"/> Continue to Show Last Date to File Reminder</p>

3/15/2007 MMG

Case Management		Case Type: US Patent																																												
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Reminder List <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Item</th> <th style="text-align: left;">Due Date</th> <th style="text-align: left;">Done Date</th> <th style="text-align: center; vertical-align: middle;">▼</th> </tr> </thead> <tbody> <tr> <td>File New Application-USA</td> <td>8/21/2003</td> <td>8/21/2003</td> <td></td> </tr> <tr> <td>Office Action Received-USA</td> <td>2/24/2006</td> <td>2/24/2006</td> <td></td> </tr> <tr> <td>Response Sent-USA</td> <td>5/24/2006</td> <td>5/22/2006</td> <td></td> </tr> <tr> <td>Office Action Postcard Due-USA</td> <td>6/22/2006</td> <td>Received</td> <td></td> </tr> <tr> <td>Office Action Received-USA</td> <td>8/23/2006</td> <td>8/23/2006</td> <td></td> </tr> <tr> <td>Response Sent-USA</td> <td>11/24/2006</td> <td>11/21/2006</td> <td></td> </tr> <tr> <td>Office Action Received-USA</td> <td>12/15/2006</td> <td>12/15/2006</td> <td></td> </tr> <tr> <td>Office Action Postcard Due-USA</td> <td>12/21/2006</td> <td>Received</td> <td></td> </tr> <tr> <td>Response Sent-USA</td> <td>3/15/2007</td> <td>3/15/2007</td> <td></td> </tr> <tr> <td>Office Action Postcard Due-USA</td> <td>4/15/2007</td> <td>Received</td> <td>▼</td> </tr> </tbody> </table>			Item	Due Date	Done Date	▼	File New Application-USA	8/21/2003	8/21/2003		Office Action Received-USA	2/24/2006	2/24/2006		Response Sent-USA	5/24/2006	5/22/2006		Office Action Postcard Due-USA	6/22/2006	Received		Office Action Received-USA	8/23/2006	8/23/2006		Response Sent-USA	11/24/2006	11/21/2006		Office Action Received-USA	12/15/2006	12/15/2006		Office Action Postcard Due-USA	12/21/2006	Received		Response Sent-USA	3/15/2007	3/15/2007		Office Action Postcard Due-USA	4/15/2007	Received	▼
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Patient Case History			
Case Management		Case Type: US Patent	
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Response Sent-USA	11/24/2006	11/21/2006	
Office Action Received-USA	12/15/2006	12/15/2006	
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Response Sent-USA	3/15/2007	3/15/2007	
Office Action Postcard Due-USA	4/15/2007	Received	
Response Next Office Action-USA	7/15/2007		
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IBM CORPORATION
AUS920030607US1

**METHOD AND APPARATUS FOR ENABLING NATIONAL LANGUAGE SUPPORT
OF A DATABASE ENGINE**

1.	PATENT APPLICATION FORMAL DRAWINGS IDS	08/21/03
2.	FILING RECEIPT	08/21/03
3.	NOTICE OF RECORDATION	08/21/03
4.	NOTICE OF PUBLICATION OF APPLICATION	02/24/05
5.	OFFICE ACTION	02/24/06
6.	RESPONSE TO OFFICE ACTION	05/22/06
7.	FINAL OFFICE ACTION	08/23/06
8.	RESPONSE TO OFFICE ACTION	11/21/06
9.	OFFICE ACTION	12/15/06
10.	RESPONSE TO OFFICE ACTION	03/15/07